

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**MARY T. NERI, et al.,**

**Plaintiffs,**

**v.**

**STATE FARM FIRE AND CASUALTY  
COMPANY,**

**Defendant.**

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**CIVIL ACTION**

**NO. 19-0355**

**ORDER**

**AND NOW**, this \_\_13th\_\_ day of August, 2019, upon consideration of Plaintiffs’ Motion to Remand (“Motion to Remand”) (ECF No. 5), Defendant’s Response in Opposition thereto (ECF No. 7), Plaintiffs’ Motion to Strike Defendant’s Response in Opposition to Plaintiffs’ Motion to Remand (“Motion to Strike”) (ECF No. 8), Defendant State Farm Fire and Casualty Company’s Motion to Dismiss Plaintiffs’ Complaint Pursuant to F.R.C.P. 12(b) (“Motion to Dismiss”) (ECF No. 4), and Plaintiffs’ Response in Opposition thereto (ECF No. 6), **IT IS HEREBY ORDERED AND DECREED** as follows:<sup>1</sup>

1. Plaintiffs’ Motion to Remand is **DENIED**;
2. Plaintiffs’ Motion to Strike is **DENIED**;
3. Defendant’s Motion to Dismiss is **GRANTED IN PART AND DENIED IN PART** consistent with the Court’s Memorandum Opinion;
4. Plaintiff Carol M. Neri is **DISMISSED** from this case as set forth in the Court’s Memorandum Opinion; and

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<sup>1</sup> This Order accompanies the Court’s Memorandum Opinion dated August 13, 2019.

5. Defendant shall file an answer to Plaintiffs' Complaint (ECF No. 1) within **twenty-one (21) days** of the date of this Order.

**BY THE COURT:**

**/s/ Petrese B. Tucker**

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**Hon. Petrese B. Tucker, U.S.D.J.**